

October 25, 2013

To: Executive Board

Subject: **Contract Extension — General Legal Services**

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### **Recommendations**

Authorize the Executive Director to execute an amendment to Contract 06-011 for legal services with Darold D. Pieper, Attorney at Law, extending the contract for an additional five years.

### **Analysis**

At the October 2005 Executive Board meeting, the Executive Board authorized the Executive Director to execute an agreement with Mr. Pieper to provide general legal counsel and to handle California-specific legal matters for Foothill Transit. Amendment No. 1 to the Agreement was adopted as of January 26, 2010 to extend the expiration date and adjust the fee schedule.

Mr. Pieper has requested that the existing agreement be extended for an additional five-year term. The proposed amendment is for a contract term extension only; no change in the fee structure is requested.

Mr. Pieper has over 13 years of experience servicing the unique needs of Foothill Transit. He has been deeply involved in all current Foothill Transit projects and provides an important source of continuity and background in moving those projects forward. It would require substantial time and considerable expense to Foothill Transit to recruit and educate new counsel to serve the agency, and his unique capabilities and experience would be difficult to replace. Accordingly, staff has concluded that this contract is appropriate for extension on a sole source basis.

### **Fiscal Impact**

Required funding is included in Foothill Transit's FY 2014 Business Plan and will be included in the proposed FY 2015 Business Plan.

Sincerely,



Doran J. Barnes  
Executive Director